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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/089,081	04/10/2002	Narumi Umeda	221913US2PCT	2884

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EXAMINER

PERSINO, RAYMOND B

ART UNIT	PAPER NUMBER
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2682

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/089,081	<b>Applicant(s)</b> UMEDA ET AL.	
	<b>Examiner</b> Raymond B. Persino	<b>Art Unit</b> 2682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 April 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>4/02, 7/02 &amp; 2/03</u> . | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-16 are rejected under 35 U.S.C. 102(b) as being anticipated by NONAMI (US 5,278,866 A).

Regarding claim 1, NONAMI discloses a mobile communication system comprising: detecting means (8) for detecting at least one of a change in an environment in which an object to be inspected exists and a change in a capability of said object to be inspected; reporting means (8) for notifying one or more apparatuses relating to said change detected by said detecting means of at least a result of said detection; setting means (91) for newly setting at least one of a network resource and an information format in conformity to said change detected by said detecting means; and switching means (4) for switching said network resource and information format into a content set by said setting means (column 2 line 32 to column 4 line 16).

Regarding claim 2, see the rejection of the parent claim concerning the subject matter this claim depends from. NONAMI further discloses that the object to be inspected includes at least one of a communication terminal, transmission means for a

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radio area, and transmission means within a network (column 2 line 32 to column 4 line 16).

Regarding claim 3, see the rejection of the parent claim concerning the subject matter this claim depends from. NONAMI further discloses that the network resource includes at least one of a wireless communication channel, a transmitter/receiver, a line within a network, a communication node apparatus, a communication terminal, an information switching apparatus, and an information converting apparatus (column 2 line 32 to column 4 line 16).

Regarding claim 4, see the rejection of the parent claim concerning the subject matter this claim depends from. NONAMI further discloses that the switching means includes information converting apparatus which carries out, as said switching of information format, at least one of changing of media for information transferred over a network and changing of a transmission quality between the same media (column 2 line 32 to column 4 line 16).

Regarding claim 5, NONAMI discloses a mobile communication system comprising: a network, having a resource, for transferring information to be transmitted/received (6/7) by a mobile terminal; a network control section (91) for controlling said network; and an information converting apparatus (4), as information format switching means (4) with respect to information transferred over said network, for carrying out at least one of changing of media for information transferred over said network and changing of a transmission quality between the same media in accordance

with an instruction from said network control section (column 2 line 32 to column 4 line 16).

Regarding claim 6, see the rejection of the parent claim concerning the subject matter this claim depends from. NONAMI further discloses that the information converting apparatus comprises: a network interface section for transmitting/ receiving (6/7) information to/from a resource constituting said network; an information converting section (4) for converting a format of information captured through said network interface section into another format, and sending out thus converted information to said resource constituting said network by way of said network interface section; and a control section (91) for controlling said information converting section in accordance with an instruction from said network control section captured through said network interface section (column 2 line 32 to column 4 line 16).

Regarding claim 7, NONAMI discloses a resource switching method for a mobile communication system, said method comprising: a detecting step of detecting (done at (8) at least one of a change in an environment in which an object to be inspected exists and a change in a capability of said object to be inspected a reporting step of notifying (done by 8) one or more apparatuses relating to said change detected by said detecting step of at least a result of said detection; and a setting step (done by 91) of newly setting at least one of a network resource and an information format in conformity to said change detected by said detecting step; and a switching step (done by 4) of

switching said network resource and said information format into a content set by said setting step (column 2 line 32 to column 4 line 16).

Regarding claim 8, see the rejection of the parent claim concerning the subject matter this claim depends from. NONAMI further discloses that the object to be inspected includes at least one of a communication terminal, transmission means for a radio area, and transmission means within a network (column 2 line 32 to column 4 line 16).

Regarding claim 9, see the rejection of the parent claim concerning the subject matter this claim depends from. NONAMI further discloses that the network resource includes at least one of a wireless communication channel, a transmitter/ receiver, a line within a network, a communication node apparatus, a communication terminal, an information switching apparatus, and an information converting apparatus (column 2 line 32 to column 4 line 16).

Regarding claim 10, see the rejection of the parent claim concerning the subject matter this claim depends from. NONAMI further discloses that the switching step includes a step of carrying out, as switching of said information format, at least one of changing of media for information transferred over a network and changing of a transmission quality in the same media (column 2 line 32 to column 4 line 16).

Regarding claim 11, NONAMI discloses a network control method comprising the steps of: receiving a detection report of at least one of a change in an environment in which an object to be inspected exists and a change in a capability of said object to be inspected from said object to be inspected; determining at least one of a network

resource and an information format suitable for said change specified by said detection report received from said object to be inspected; and controlling said object to be inspected concerning at least one of said determined network resource and information format so that said object conforms to said detected change (column 2 line 32 to column 4 line 16).

Regarding claim 12, see the rejection of the parent claim concerning the subject matter this claim depends from. NONAMI further discloses that the object to be inspected includes at least one of a communication terminal, transmission means for a radio area, and transmission means within a network (column 2 line 32 to column 4 line 16).

Regarding claim 13, see the rejection of the parent claim concerning the subject matter this claim depends from. NONAMI further discloses that the network resource includes at least one of a wireless communication channel, a transmitter/ receiver, a line within a network, a communication node apparatus, a communication terminal, an information switching apparatus, and an information converting apparatus (column 2 line 32 to column 4 line 16).

Regarding claim 14, NONAMI discloses a network control apparatus comprising: receiving means (6/7) for receiving a detection report of at least one of a change in an environment in which an object to be inspected exists and a change in a capability of said object to be inspected from said object to be inspected; determining means (91) for determining at least one of a network resource and an information format suitable for

said change specified by said detection report received from said object to be inspected; and control means (91) for controlling said object to be inspected concerning at least one of said determined network resource and information format so that said object conforms to said detected change (column 2 line 32 to column 4 line 16).

Regarding claim 15, see the rejection of the parent claim concerning the subject matter this claim depends from. NONAMI further discloses that the object to be inspected includes at least one of a communication terminal, transmission means for a radio area, and transmission means within a network (column 2 line 32 to column 4 line 16).

Regarding claim 16, see the rejection of the parent claim concerning the subject matter this claim depends from. NONAMI further discloses that the network resource includes at least one of a wireless communication channel, a transmitter/receiver, a line within a network, a communication node apparatus, a communication terminal, an information switching apparatus, and an information converting apparatus (column 2 line 32 to column 4 line 16).

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

BLANKENSHIP et al (US 6,738,614 B1)

LEE et al (US 6,728,531 B1)

YU et al (US 6,684,087 B1)



SCHWELB et al (US 5,950,123)

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond B. Persino whose telephone number is (703) 308-7528. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian C. Chin can be reached on (703) 308-6739. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Raymond B. Persino  
Examiner  
Art Unit 2682

RP

RP

  
LEE NGUYEN  
PRIMARY EXAMINER